

LAW OFFICES
JOHN S. WALLENSTEIN
1100 FRANKLIN AVENUE
GARDEN CITY, NEW YORK 11530

(516) 742-5600 FAX (516) 742-5040
E-MAIL: JSWALLENSTEIN@AOL.COM

JOHN S. WALLENSTEIN

SCOTT MURPHY
OF COUNSEL

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NEW YORK & FEDERAL BARS

CRIMINAL DEFENSE
CIVIL LITIGATION
COMMERCIAL MATTERS

VIA ECF

Honorable Dora L. Irizarry
United States District Judge, EDNY
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Thaqi, et al
Docket # 11 CR 486 (DLI)

Dear Judge Irizarry:

I represent Giovanni Difuccia in the above noted matter. Mr. Difuccia is scheduled to be sentenced by Your Honor on Wednesday October 2, 2013. In my objections to the PSR, I raised issues related to relevant conduct attributed to the defendant. The Government maintains that the conduct should be considered by the Court, and as a result, a *Fatico* hearing may be necessary in order to resolve the dispute. I have been engaged in conversations with the Government, and I am hopeful that we can resolve the issue without the necessity of a hearing. However, additional time is necessary to permit us to work through the problem.

Therefore, I respectfully request that Mr. Difuccia's sentencing be adjourned until Monday October 28, 2013, in order to provide sufficient time to resolve the potential *Fatico* issues and complete the defendant's sentencing submission, which will encompass the conduct at issue. I have discussed this application with AUSA Gina Parlovecchio, and the government has no objection.

Thank you for your courtesy and consideration.

Respectfully yours,


JOHN S. WALLENSTEIN